

**CONSOLIDATED CITY OF INDIANAPOLIS  
AND COUNTY OF MARION,  
STATE OF INDIANA**

NOV 04 2005

**EXECUTIVE ORDER NO. 2, 2005**

**(This Executive Order Supersedes Executive Order No. 2, 2004)**

**PROHIBITION OF DISCRIMINATION ON  
THE BASIS OF SEXUAL ORIENTATION  
OR GENDER IDENTITY**

WHEREAS, this Administration believes denying equal opportunities based on sexual orientation or gender identity is contrary to the principles of freedom and equality of opportunity and is a burden to the objectives of the city's policies; and

WHEREAS, this Administration is committed to equal opportunity and conducts its business without regard to race, color, disability, religion, sex, age, national origin or veteran status; and

WHEREAS, it is the policy of this Administration to provide equal opportunity in all city matters and to prohibit discriminatory intent from playing any role in such matters; and

WHEREAS, it is the goal of this Administration to make clear that discrimination on the basis of sexual orientation or gender identity in city matters shall not be tolerated; and

WHEREAS, the successful implementation of this policy requires the participation and cooperation of all Departments and Divisions of the City of Indianapolis;

NOW, THEREFORE, by virtue of the authority vested in me as Chief Executive and Administrative Officer of the city and successor-in-interest to the Board of Commissioners of Marion County and pursuant to Section 221-401 of the Revised Code of the Consolidated City of Indianapolis and Marion County, it is hereby ordered as follows:

1. Discrimination on the basis of sexual orientation or gender identity in any city matters is hereby prohibited. This prohibition includes, but is not limited to, employment decisions, contracts, and business relations.
2. The Department of Administration shall modify all materials containing the city's Equal Employment Opportunity Policy to include a prohibition against discrimination on the basis of sexual orientation or gender identity when those materials are next printed. The Department shall also review the city's Employee Manual and

modify it as necessary to reflect the policy set forth in this Executive Order when those materials are next printed. Memoranda amending such materials shall be distributed in the interim.

3. The Human Resources Division shall include the prohibition against sexual orientation or gender identity discrimination in the curricula of training in which the city's Equal Employment Opportunity Policy is addressed.

4. The Directors of all City Departments shall affirm their commitment to the city's policy against discrimination on the basis of sexual orientation or gender identity and shall appropriately communicate their support throughout their respective Departments. The Directors shall assure all appropriate departmental documents include standard language prohibiting discrimination on the basis of sexual orientation or gender identity. The Directors shall promptly supply documentation concerning their efforts to the Director of the Department of Administration.

5. City employees who believe they have been discriminated against on the basis of their sexual orientation or gender identity shall be encouraged to report the facts giving rise to their belief to their supervisor, Department Director or Human Resource representative, who shall investigate the allegations promptly and thoroughly and attempt to resolve the issue in the same manner provided for individuals alleging discrimination on other grounds.

6. Individuals who are not city employees but who believe they have been discriminated against on the basis of their sexual orientation or gender identity in their interaction with the city shall be encouraged to report the facts giving rise to their belief to the Division of Equal Opportunity, which shall contact the involved parties, investigate the allegations promptly and thoroughly, and attempt to resolve the issue in the same manner provided for individuals alleging discrimination on other grounds.

7. This Executive Order shall become effective immediately upon execution.

DATED this 4<sup>th</sup> day of November, 2005.

CONSOLIDATED CITY OF  
INDIANAPOLIS AND MARION  
COUNTY, INDIANA

By:   
Bart Peterson, Mayor

APPROVED AS TO FORM AND LEGALITY:

By:   
Kobi M. Wright, Corporation Counsel

\* \* \* COMMUNICATION RESULT REPORT ( NOV.17.2005 4:51PM ) \* \* \*

TTI INDPLS CORP COUNSEL

FILE MODE	OPTION	ADDRESS (GROUP)	RESULT	PAGE
174 MEMORY TX		95924251	OK	P. 3/3

## REASON FOR ERROR

E-1) HANG UP OR LINE FAIL  
E-3) NO ANSWERE-2) BUSY  
E-4) NO FACSIMILE CONNECTION

***Office of Corporation Counsel  
1601 City-County Building  
200 E. Washington Street  
Indianapolis, IN 46204  
317 327-4055***

***Fax Cover Sheet******To:*** Cassie Lowry***Fax:*** 592-4251***From:*** Tenley***Date:*** November 17, 2005***Number of pages (including cover sheet):******Comment:*** executive order

***Office of Corporation Counsel  
1601 City-County Building  
200 E. Washington Street  
Indianapolis, IN 46204  
317 327-4055***

***Fax Cover Sheet***

***To:***        *Cassie Lowry*

***Fax:***       *592-4251*

***From:***     *Tenley*

***Date:***       *November 17, 2005*

***Number of pages (including cover sheet):***

***Comment: executive order***

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**CONSOLIDATED CITY OF INDIANAPOLIS  
AND COUNTY OF MARION,  
STATE OF INDIANA**

**EXECUTIVE ORDER NO. 2, 2005**

**(This Executive Order Supersedes Executive Order No. 2, 2004)**

**PROHIBITION OF DISCRIMINATION ON  
THE BASIS OF SEXUAL ORIENTATION  
OR GENDER IDENTITY**

WHEREAS, this Administration believes denying equal opportunities based on sexual orientation or gender identity is contrary to the principles of freedom and equality of opportunity and is a burden to the objectives of the city's policies; and

WHEREAS, this Administration is committed to equal opportunity and conducts its business without regard to race, color, disability, religion, sex, age, national origin or veteran status; and

WHEREAS, it is the policy of this Administration to provide equal opportunity in all city matters and to prohibit discriminatory intent from playing any role in such matters; and

WHEREAS, it is the goal of this Administration to make clear that discrimination on the basis of sexual orientation or gender identity in city matters shall not be tolerated; and

WHEREAS, the successful implementation of this policy requires the participation and cooperation of all Departments and Divisions of the City of Indianapolis;

NOW, THEREFORE, by virtue of the authority vested in me as Chief Executive and Administrative Officer of the city and successor-in-interest to the Board of Commissioners of Marion County and pursuant to Section 221-401 of the Revised Code of the Consolidated City of Indianapolis and Marion County, it is hereby ordered as follows:

1. Discrimination on the basis of sexual orientation or gender identity in any city matters is hereby prohibited. This prohibition includes, but is not limited to, employment decisions, contracts, and business relations.
2. The Department of Administration shall modify all materials containing the city's Equal Employment Opportunity Policy to include a prohibition against discrimination on the basis of sexual orientation or gender identity when those materials are next printed. The Department shall also review the city's Employee Manual and

modify it as necessary to reflect the policy set forth in this Executive Order when those materials are next printed. Memoranda amending such materials shall be distributed in the interim.

3. The Human Resources Division shall include the prohibition against sexual orientation or gender identity discrimination in the curricula of training in which the city's Equal Employment Opportunity Policy is addressed.

4. The Directors of all City Departments shall affirm their commitment to the city's policy against discrimination on the basis of sexual orientation or gender identity and shall appropriately communicate their support throughout their respective Departments. The Directors shall assure all appropriate departmental documents include standard language prohibiting discrimination on the basis of sexual orientation or gender identity. The Directors shall promptly supply documentation concerning their efforts to the Director of the Department of Administration.


5. City employees who believe they have been discriminated against on the basis of their sexual orientation or gender identity shall be encouraged to report the facts giving rise to their belief to their supervisor, Department Director or Human Resource representative, who shall investigate the allegations promptly and thoroughly and attempt to resolve the issue in the same manner provided for individuals alleging discrimination on other grounds.

6. Individuals who are not city employees but who believe they have been discriminated against on the basis of their sexual orientation or gender identity in their interaction with the city shall be encouraged to report the facts giving rise to their belief to the Division of Equal Opportunity, which shall contact the involved parties, investigate the allegations promptly and thoroughly, and attempt to resolve the issue in the same manner provided for individuals alleging discrimination on other grounds.

7. This Executive Order shall become effective immediately upon execution.

DATED this 4<sup>th</sup> day of November, 2005.

CONSOLIDATED CITY OF  
INDIANAPOLIS AND MARION  
COUNTY, INDIANA

By:   
Bart Peterson, Mayor

APPROVED AS TO FORM AND LEGALITY:

By:   
Kobi M. Wright, Corporation Counsel

## **MEMORANDUM**

**DATE:** October 19, 2005  
**TO:** Mayor Bart Peterson  
**FROM:** Kobi Wright, Corporation Counsel  
**CC:** Jennifer Simmons, Sherlonda Anderson  
**SUBJECT:** Gender Identity Executive Order

Attached for your review and execution is a draft Executive Order to prohibit discrimination on the basis of Gender Identity. This Executive Order 2, 2005 amends E.O. 2, 2004 (prohibiting discrimination on the basis of sexual orientation) by adding the words "or gender identity" after "sexual orientation" each time the term appears in E.O. 2, 2004. The rest of the order provides for the necessary administrative steps to implement the policy. These administrative steps are identical to those ordered in E.O. 2, 2004.

I structured this as an amendment to E.O. 2, 2004 because this is an extension and enhancement of existing policy created by E.O. 2, 2004.

I have attached a copy of E.O. 2, 2004 for your reference. Councillor Jackie Nytes does not want to file the Human Rights Ordinance until you have signed E.O. 2, 2005. She would like to file the ordinance on Friday, October 21, 2005.

**CONSOLIDATED CITY OF INDIANAPOLIS  
AND COUNTY OF MARION,  
STATE OF INDIANA**

**EXECUTIVE ORDER NO. 2, 2005**

**(This Executive Order amends Executive Order No. 2, 2004)**

**PROHIBITION OF DISCRIMINATION  
ON THE BASIS OF GENDER IDENTITY**

WHEREAS, this Administration believes denying equal opportunities based on gender identity is contrary to the principles of freedom and equality of opportunity and is a burden to the objectives of the city's policies; and

WHEREAS, it is the goal of this Administration to make clear that discrimination on the basis of gender identity in city matters shall not be tolerated; and

WHEREAS, the Mayor issued Executive Order No. 2, 2004, which prohibited discrimination on the basis of sexual orientation; and

WHEREAS, the Mayor believes that Executive Order No. 2, 2004 should be amended to also prohibit discrimination on the basis of gender identity.

NOW, THEREFORE, by virtue of the authority vested in me as Chief Executive and Administrative Officer of the city and successor-in-interest to the Board of Commissioners of Marion county and pursuant to Section 221-401 of the Revised Code of the Consolidated city of Indianapolis and Marion County, it is hereby ordered as follows:

1. Executive Order No. 2, 2004 shall be amended to prohibit discrimination on the basis of gender identity by inserting the words "or gender identity" after the words "sexual orientation" each time they appear in the order.
2. The Department of Administration shall modify all materials containing the city's Equal Employment Opportunity Policy to include a prohibition against discrimination on the basis of gender identity when those materials are next printed. The Department shall also review the city's Employee Manual and modify it as necessary to reflect the policy set forth in this Amendment when those materials are next printed. Memoranda amending such materials shall be distributed in the interim.
3. The Human Resource Division shall include the prohibition against gender identity discrimination in the curricula of training sessions in which the city's Equal Employment Opportunity Policy is addressed.



4. The Directors of all City Departments shall affirm their commitment to the city's policy against discrimination on the basis of gender identity and shall appropriately communicate their support throughout their respective Departments. The Directors shall assure all appropriate departmental documents include standard language prohibiting discrimination on the basis of gender identity. The Directors shall promptly supply documentation concerning their efforts to the Director of the Department of Administration.
5. City employees who believe they have been discriminated against on the basis of their gender identity shall be encouraged to report the facts giving rise to their belief to their supervisor, Department Director or Human Resource representative, who shall investigate the allegations promptly and thoroughly and attempt to resolve the issue in the same manner provided for individuals alleging discrimination on other grounds.
6. Individuals who are not city employees but who believe they have been discriminated against on the basis of gender identity in their interaction with the city shall be encouraged to report the facts giving rise to their belief to the Division of Equal Opportunity, which shall contact the involved parties, investigate the allegations promptly and thoroughly, and attempt to resolve the issue in the same manner provided for individuals alleging discrimination on other grounds.
7. This Amendment shall become effective immediately upon execution.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2005

CONSOLIDATED CITY OF INDIANAPOLIS  
AND MARION COUNTY, INDIANA

By: \_\_\_\_\_  
Bart Peterson, Mayor

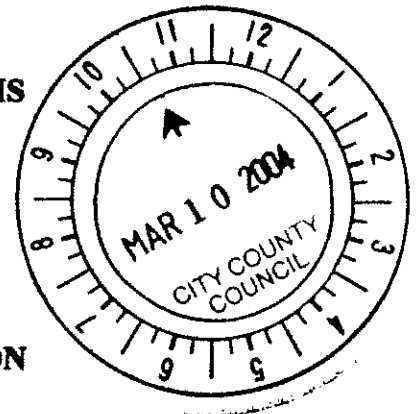
APPROVED AS TO FORM AND LEGALITY:

By: \_\_\_\_\_  
Kobi M. Wright, Corporation Counsel

**CONSOLIDATED CITY OF INDIANAPOLIS  
AND COUNTY OF MARION,  
STATE OF INDIANA**

**EXECUTIVE ORDER NO. 2, 2004**

**PROHIBITION OF DISCRIMINATION  
ON THE BASIS OF SEXUAL ORIENTATION**



WHEREAS, this Administration believes denying equal opportunities based on sexual orientation is contrary to the principles of freedom and equality of opportunity and is a burden to the objectives of the city's policies; and

WHEREAS, this Administration is committed to equal opportunity and conducts its business without regard to race, color, disability, religion, sex, age, national origin or veteran status; and

WHEREAS, it is the policy of this Administration to provide equal opportunity in all city matters and to prohibit discriminatory intent from playing any role in such matters; and

WHEREAS, it is the goal of this Administration to make clear that discrimination on the basis of sexual orientation in city matters shall not be tolerated; and

WHEREAS, the successful implementation of this policy requires the participation and cooperation of all Departments and Divisions of the City of Indianapolis;

NOW, THEREFORE, by virtue of the authority vested in me as Chief Executive and Administrative Officer of the city and successor-in-interest to the Board of Commissioners of Marion County and pursuant to Section 221-401 of the Revised Code of the Consolidated City of Indianapolis and Marion County, it is hereby ordered as follows:

1. Discrimination on the basis of sexual orientation in any city matters is hereby prohibited. This prohibition includes, but is not limited to, employment decisions, contracts, and business relations.

2. The Department of Administration shall modify all materials containing the city's Equal Employment Opportunity Policy to include a prohibition against discrimination on the basis of sexual orientation when those materials are next printed. The Department shall also review the city's Employee Manual and modify it as necessary to reflect the policy set forth in this Executive Order when those materials are next printed. Memoranda amending such materials shall be distributed in the interim.

3. The Human Resources Division shall include the prohibition against sexual orientation discrimination in the curricula of training sessions in which the city's Equal Employment Opportunity Policy is addressed.

4. The Directors of all City Departments shall affirm their commitment to the city's policy against discrimination on the basis of sexual orientation and shall appropriately communicate their support throughout their respective Departments. The Directors shall assure all appropriate departmental documents include standard language prohibiting discrimination on the basis of sexual orientation. The Directors shall promptly supply documentation concerning their efforts to the Director of the Department of Administration.

5. City employees who believe they have been discriminated against on the basis of their sexual orientation shall be encouraged to report the facts giving rise to their belief to their supervisor, Department Director or Human Resource representative, who shall investigate the allegations promptly and thoroughly and attempt to resolve the issue in the same manner provided for individuals alleging discrimination on other grounds.

6. Individuals who are not city employees but who believe they have been discriminated against on the basis of their sexual orientation in their interaction with the city shall be encouraged to report the facts giving rise to their belief to the Division of Equal Opportunity, which shall contact the involved parties, investigate the allegations promptly and thoroughly, and attempt to resolve the issue in the same manner provided for individuals alleging discrimination on other grounds.

7. This Executive Order shall become effective immediately upon execution.

DATED this 9<sup>th</sup> day of March, 2004.

CONSOLIDATED CITY OF INDIANAPOLIS  
AND MARION COUNTY, INDIANA

By: Bart Peterson  
Bart Peterson, Mayor

APPROVED AS TO FORM AND LEGALITY:

By: A. Scott Chinn  
A. Scott Chinn, Corporation Counsel

## MEMORANDUM

**DATE:** October 18, 2005  
**TO:** Mayor Bart Peterson  
**FROM:** Kobi Wright, Corporation Counsel  
**SUBJECT:** Gender Identity Executive Order

Attached for your review is a draft Executive Order to prohibit discrimination on the basis of Gender Identity. This Executive Order 1, 2005 amends E.O. 2, 2004 (prohibiting discrimination on the basis of sexual orientation) by adding the words "or gender identity" after "sexual orientation" each time the term appears in E.O. 2, 2004. The rest of the order provides for the necessary administrative steps to implement the policy. These administrative steps are identical to those ordered in E.O. 2, 2004.

I structured this as an amendment to E.O. 2, 2004 because ~~I think it is important to symbolically link this with the sexual orientation policy. In addition, the rationale and justification for both policies is the same.~~

ASK Sean  
if there  
is an  
E.O.  
for  
Tree Board

this is an enhancement

in already  
existing  
policy

Jacque wants this

CC: Barbara  
Anderson  
Jennifer Simmons and

CONSOLIDATED CITY OF INDIANAPOLIS  
AND COUNTY OF MARION,  
STATE OF INDIANA

FIRST AMENDMENT TO  
EXECUTIVE ORDER NO. 2, 2004

PROHIBITION OF DISCRIMINATION  
ON THE BASIS OF GENDER IDENTITY

WHEREAS, this Administration believes denying equal opportunities based on gender identity is contrary to the principles of freedom and equality of opportunity and is a burden to the objectives of the city's policies; and

WHEREAS, it is the goal of this Administration to make clear that discrimination on the basis of gender identity in city matters shall not be tolerated; and

WHEREAS, the Mayor issued Executive Order No. 2, 2004, which prohibited discrimination on the basis of sexual orientation; and

WHEREAS, this Mayor believes that Executive Order No. 2, 2004 should be amended to also prohibit discrimination on the basis of gender identity; and

NOW, THEREFORE, by virtue of the authority vested in me as Chief Executive and Administrative Officer of the city and successor-in-interest to the Board of Commissioners of Marion county and pursuant to Section 221-401 of the Revised Code of the Consolidated city of Indianapolis and Marion County, it is hereby ordered as follows:

1. Executive Order No. 2, 2004 shall be amended to prohibit discrimination on the basis of gender identity by inserting the words "or gender identity" after the words "sexual orientation" each time they appear in the order.
2. The Department of Administration shall modify all materials containing the city's Equal Employment Opportunity Policy to include a prohibition against discrimination on the basis of gender identity when those materials are next printed. The Department shall also review the city's Employee Manual and modify it as necessary to reflect the policy set forth in this Amendment when those materials are next printed. Memoranda amending such materials shall be distributed in the interim.
3. The Human Resources Division shall include the prohibition against gender identity discrimination in the curricula of training sessions in which the city's Equal Employment Opportunity Policy is addressed.

*I like this.*  
*Could you make changes,*  
*amend my comments*  
*and provide me*  
*with*  
*distributed*  
*copy of*  
*EO 2*  
*Thank*

4. The Directors of all City Departments shall affirm their commitment to the city's policy against discrimination on the basis of gender identity and shall appropriately communicate their support throughout their respective Departments. The Directors shall assure all appropriate departmental documents include standard language prohibiting discrimination on the basis of gender identity. The Directors shall promptly supply documentation concerning their efforts to the Director of the Department of Administration.

5. City employees who believe they have been discriminated against on the basis of their gender identity shall be encouraged to report the facts giving rise to their belief to their supervisor, Department Director or Human Resource representative, who shall investigate the allegations promptly and thoroughly and attempt to resolve the issue in the same manner provided for individuals alleging discrimination on other grounds.

6. Individuals who are not city employees but who believe they have been discriminated against on the basis of gender identity in their interaction with the city shall be encouraged to report the facts giving rise to their belief to the Division of Equal Opportunity, which shall contact the involved parties, investigate the allegations promptly and thoroughly, and attempt to resolve the issue in the same manner provided for individuals alleging discrimination on other grounds.

7. This Amendment shall become effective immediately upon execution.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2005

CONSOLIDATED CITY OF INDIANAPOLIS  
AND MARION COUNTY, INDIANA

By: \_\_\_\_\_  
Bart Peterson, Mayor

APPROVED AS TO FORM AND LEGALITY:

By: \_\_\_\_\_  
Kobi M. Wright, Corporation Counsel

